

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

GEORGE E. RAINY,)
)
Plaintiff,)
)
v.) Civil Action No. 3:22CV88-HEH
)
ALEXANDER RAYMOND,)
)
Defendant.)

MEMORANDUM OPINION
(Dismissing Action Without Prejudice)

By Memorandum Order entered on March 10, 2022, the Court conditionally docketed Plaintiff's action. The Court directed Plaintiff to affirm his intention to pay the full filing fee by signing and returning a consent to collection of fees form. The Court warned Plaintiff that a failure to comply with the above directive within thirty (30) days of the date of entry thereof would result in summary dismissal of the action. On March 21, 2022, Plaintiff returned an unsigned consent to collection of fees form. Accordingly, by Memorandum Order entered on April 12, 2022, the Court once again instructed Plaintiff that he must sign and return a consent to collection of fees form within fourteen (14) days of the date of entry thereof if he wished to proceed with the action.

More than fourteen (14) days have elapsed and Plaintiff has not complied with the orders of this Court. Plaintiff failed to return a consent to collection of fees form. As a result, he does not qualify for *in forma pauperis* status. Furthermore, he has not paid the statutory filing fee for the instant action. *See* 28 U.S.C. § 1914(a). Such conduct

demonstrates a willful failure to prosecute. *See* Fed. R. Civ. P. 41(b). Accordingly, this action will be dismissed without prejudice.

An appropriate Order shall accompany this Memorandum Opinion.



/s/
HENRY E. HUDSON
UNITED STATES DISTRICT JUDGE

Date: May 4, 2022
Richmond, Virginia